IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No.1255 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 24/03/2004 in W.P.No.5554 of 2004 on the file of the High Court.)

Between:

Laxmi Nagi Reddy Junior College,

(Motati Nagi Reddy Memorial Educational Society)
Paipad, Waddepally Mandal,

Mahabubnagar District,

rep., by its Principal.

..... APPELLANT

AND

1 The Government of A.P., rep., by its Secretary, Higher Education Department, Secretariat,
Hyderabad.

2 The Secretary, Board of Intermediate Education, Vidya Bhavan, Nampally, Hyderabad.

3 The Commissioner, Board of Intermediate Education, Nampally, Hyderabad.

4 The Commissioner and Director, Backward Classes Welfare, A.P., Hyderabad.

5 The District Backward Classes Welfare Officer, Mahabubnagar, Mahabubnagar District.

6 The Deputy Director, District Treasury Office, Mahabubnagar, Mahabubnagar District.

7 The Assistant Backward Classes Welfare Officer, Gadwal, Mahabubnagar District.

.....RESPONDENTS

Counsel for the Appellant :Mr. AMARENDER RAJU KASU

(Not Present)

Counsel for the Respondents : G.P. FOR HIGHER EDUCATION

The Court made the following :

JUDGMENT: (Per Hon'ble the Chief Justice)

None appeared for the appellant. Appellant's writ petition was dismissed by the learned single Judge as meritless. Appellant-petitioner was seeking direction to the first respondent to release incentive–conventional to the college pursuant to the orders dated 23-08-2001 of the second respondent and to declare the inaction of

respondents in releasing the incentive as illegal and arbitrary. Learned single Judge observed that it was for the second respondent to enquire into the matter as to the allegations made against the appellant pursuant to the show cause notice dated 06-11-2003 and pass appropriate orders in accordance with law. It was also observed that pending enquiry into the allegations, appellant cannot seek release of the amounts for the academic year 2002-2003 or for subsequent years. We see no ground to interfere in such matter where the appellant is insisting that direction must be issued for release of incentive
de hors finalisation of enquiry.

Writ Appeal is accordingly dismissed.

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DEVINDER GUPTA, C.J.

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C.V.RAMULU, J

19-08-2004

bsc

To

1 The Secretary, Higher Education Department, Government of A.P., Secretariat, Hyderabad.

2 The Secretary, Board of Intermediate Education, Vidya Bhavan, Nampally, Hyderabad.

3 The Commissioner, Board of Intermediate Education, Nampally, Hyderabad.

4 The Commissioner and Director, Backward Classes Welfare, A.P., Hyderabad.

5 The District Backward Classes Welfare Officer, Mahabubnagar, Mahabubnagar District.

6 The Deputy Director, District Treasury Office, Mahabubnagar, Mahabubnagar District.

7 The Assistant Backward Classes Welfare Officer, Gadwal, Mahabubnagar District.

8. 2 CCs to Govt. Pleader for Higher Education, High Court buildings, Hyderabad (OUT)

9. 2 C.D. copies